

**REMARKS**

**I. Status Of The Claims**

Claims 1-23 are pending in this Application.

Claims 1-5 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Marks (U.S. Patent No. 6,463,447).

Claims 6-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marks in view of Willis (U.S. Patent No. 6,385,647).

Claims 1, 6, 14, 18, 21, and 23 are independent.

**II. Rejection of Independent Claims 1, 6, 14, 18, and 21**

The Office Action rejects independent claim 1 under 35 U.S.C. 102(e) as being anticipated by Marks, and rejects independent claims 6, 14, 18, and 21 under 35 U.S.C. 103(a) in view of Marks and Willis. Applicants respectfully disagree with the rejections.

Turning to independent claim 1, Applicants observe that Marks fails, for example, to disclose, teach, or suggest:

“... selecting data to be sent to multicast groups based on a predetermined policy...”

as set forth in the claim (emphasis added).

The Office Action argues that such is disclosed among column 7 lines 4-24 and column 12 lines 27-65 of the reference. However, the cited portions of Marks do not disclose, teach, or suggest the above-identified aspects of claim 1. For example, column 12 lines 27-65 instead state:

“[t]he filtering agent 600 operates to filter documents received on one or more multicast channels by the network

communications unit 250 (shown in FIG. 2) of the local computing resource 110 (shown in FIG. 2)” (see Marks col. 12 ln. 41-45; emphasis added).

Turning to independent claims 6, 14, 18, and 21, Applicants note that Marks and Willis, taken individually or in combination, fail to disclose, teach, or suggest at least:

“... selecting data to be sent over a shared multicast channel ...”

as set forth in claim 6 (emphasis added). Moreover, Applicants note that Marks and Willis, taken individually or in combination, fail to disclose, teach, or suggest at least:

“... selecting data to be sent over a shared multicast channel based upon said user demand ...”

as set forth in each of claims 14, 18, and 21 (emphasis added).

The Office Action apparently contends that such is disclosed by Marks as discussed above with respect to claim 1 (among column 7 lines 4-24 and column 12 lines 27-65 of the reference), except for the “multicast channel” being “shared” which the Office Action contends to be disclosed at column 7 lines 25-35 of Willis.

Applicants respectfully submit that column 7 lines 4-24 and column 12 lines 27-65 of Marks fail, for instance, to disclose, teach, or suggest the above-identified aspects of claims 6, 14, 18, and 21 and instead, as noted above, state:

“[t]he filtering agent 600 operates to filter documents received on one or more multicast channels by the network communications unit 250 (shown in FIG. 2) of the local computing resource 110 (shown in FIG. 2)” (see Marks col. 12 ln. 41-45; emphasis added).

Applicants observe that column 7 lines 25-35 of Willis fail, for instance, to disclose, teach, or suggest the above-identified aspects of claims 6, 14, 18, and 21 and instead discuss “Protocol Independent Multicast – Sparse Mode (PIM-SM)” (see Willis col. 7 ln. 20-21).

In view of at least the foregoing, Applicants respectfully submit that claims 1, 6,

14, 18, and 21, as well as those claims that depend therefrom, are in condition for allowance.

**III. Amendment of Claim 23**

With this response, Applicants amend claim 23. No new matter has been added.

In view, for instance, of that which is discussed above, Applicants respectfully submit that the cited references, taken individually or in combination, fail to disclose, teach, or suggest at least:

“... wherein said cache includes data sent to multicast groups based on a predetermined policy”

as set forth in the claim as amended herewith.

In view of at least the forgoing, Applicants respectfully submit that claim 23 is in condition for allowance.

**IV. Dependent Claims**

Applicants do not believe it is necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

**V. Conclusion**

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any

way, the Examiner is invited to contact the undersigned at the number provided.

**VI. Authorization**

The Commissioner is hereby authorized to charge any fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4041. **A DUPLICATE OF THIS DOCUMENT IS ATTACHED.**

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: May 25, 2005

By:



---

Angus R. Gill  
Registration No. 51,133

**Mailing Address:**  
MORGAN & FINNEGAN, L.L.P.  
3 World Financial Center  
New York, New York 10281-2101  
(212) 415-8746  
(212) 415-8701 (Fax)